<div align="center">

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA

</div>

SCOTT T. BALLOCK,

        Plaintiff,

v.   CIVIL ACTION NO.: 1:17-CV-52
                                            Honorable Irene M. Keeley

ELLEN RUTH COSTLOW,
STATE TROOPER MICHAEL KIEF,
STATE TROOPER RONNIE M.
GASKINS, AND STATE TROOPER
CHRIS BERRY,

        Defendants.

<div align="center">

**DEFENDANTS STATE TROOPER MICHAEL KIEF,
STATE TROOPER RONNIE M. GASKINS, AND STATE TROOPER CHRIS BERRY'S
MOTION TO EXCEED PAGE LIMIT**

</div>

Defendants State Trooper Michael Kief, State Trooper Ronnie M. Gaskins, and State Trooper Chris Berry (collectively, the "State Police Defendants") by counsel, respectfully move the Court under Local Rule of Civil Procedure 7.02 for leave to file a memorandum in support of their Motion for Summary Judgment that exceeds the 25-page limit under the Local Rules.

The Third Amended Complaint in this action is 40 pages long, consisting of 298 paragraphs alleging 8 cause of action against the 3 State Police Defendants (not counting 2 causes of action that the Court dismissed). (ECF No. 49). Moreover, the factual background of this matter spans the course of nearly seven years, from Plaintiff and Defendant Ellen Costlow's separation in September 2012 to the latest status of Plaintiff's employment with the FBI, as of March 2019. Plaintiff asserts claims against the State Police Defendants under a variety of federal and state law legal theories.

While counsel for the State Police Defendants appreciate the importance of conciseness in briefs, they require more than the 25 pages permitted under Local Rule of Civil Procedure 7.02 to address Plaintiff's various causes of action in their supporting memorandum and to provide the

Court with sufficient factual background to properly rule on the motion. Consequently, the State

Police Defendants respectfully request leave of the Court to exceed the page limit established in

Rule 7.02 and file the attached memorandum of law, which consists of only 30 substantive pages

of factual background and argument, exclusive of the caption, signature page, and certificate of

service.

WHEREFORE, State Trooper Michael Kief, State Trooper Ronnie M. Gaskins, and State

Trooper Chris Berry respectfully request that the Court GRANT this Motion and ORDER that the

attached memorandum of law be filed in support of the State Police Defendants' Motion for

Summary Judgment.

Dated this 8th day of July 2019.

Respectfully submitted,

s/   Monte' L. Williams
Montè L. Williams (WV Bar No. 9526)
STEPTOE & JOHNSON PLLC
P.O. Box 1616
Morgantown, WV   26507-1616
(304) 598-8000
monte.williams@steptoe-johnson.com

Mark G. Jeffries (WV Bar No. 11618)
STEPTOE & JOHNSON PLLC
400 White Oaks Boulevard
Bridgeport, WV 26330
(304) 933-8000
mark.jeffries@steptoe-johnson.com

Counsel for Defendants State Trooper Michael Kief, State Trooper Ronnie M. Gaskins, and State Trooper Chris Berry

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF WEST VIRGINIA

SCOTT T. BALLOCK,

     Plaintiff,

v.   **CIVIL ACTION NO.:**

1:17-CV-52

                                   Honorable Irene M. Keeley

ELLEN RUTH COSTLOW,
STATE TROOPER MICHAEL KIEF,
STATE TROOPER RONNIE M.
GASKINS, AND STATE TROOPER
CHRIS BERRY,

     Defendants.

CERTIFICATE OF SERVICE

     I hereby certify that on the 8th day of July 2019, I electronically filed the foregoing

"Motion for Leave to Exceed Page Limit" with the Clerk of the Court using CM/ECF system,

which will send notification of such filing to the following:

> Charles J. Crooks, Esquire
> Crooks Law Firm PLLC
> 244 Pleasant Street
> Morgantown, WV 26505
> *Counsel for Plaintiff*
>
> P. Todd Philips, Esquire
> Lyons Phillips Legal Group PLLC
> 141 Walnut Street
> Morgantown, WV 26505
> *Counsel for Defendant Ellen Ruth Costlow*

> *s/   Monte' L. Williams*
> Montè L. Williams (WV Bar No. 9526)
> STEPTOE & JOHNSON PLLC
> P.O. Box 1616
> Morgantown, WV   26507-1616
> (304) 598-8000
> monte.williams@steptoe-johnson.com

8472296

Mark G. Jeffries (WV Bar No. 11618)
STEPTOE & JOHNSON PLLC
400 White Oaks Boulevard
Bridgeport, WV 26330
(304) 933-8000
mark.jeffries@steptoe-johnson.com

Counsel for Defendants State Trooper Michael Kief, State Trooper Ronnie M. Gaskins, and State Trooper Chris Berry

8472296